

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

WILLIAM SPIVEY, #K-81482,)
vs.)
Plaintiff,)
vs.) CIVIL NO. 10-cv-984-JPG
MARY McLAFFERTY, et al.,)
Defendants.)

MEMORANDUM AND ORDER

GILBERT, District Judge:

This action came before the Court on Plaintiff's motion to proceed *in forma pauperis* (Doc. 3). On January 14, 2011, this Court inadvertently granted Plaintiff *in forma pauperis* status (Doc. 13). Realizing the error, on April 4, 2011 the Court revoked *in forma pauperis* status, and ordered Plaintiff to pay the full filing fee of \$350 owed in this action by April 19, 2011. Following Plaintiff's failure to comply with that order in the time allotted,

IT IS HEREBY ORDERED AND ADJUDGED this action is **DISMISSED without prejudice** for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *see generally James v. McDonald's Corp.*, 471 F.3d 672, 681 (7th Cir. 2005); *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997). The Clerk is **DIRECTED** to **CLOSE THIS CASE**. All pending motions are **DENIED** as moot.

IT IS SO ORDERED.

DATED: April 27, 2011

s/J. Phil Gilbert
United States District Judge